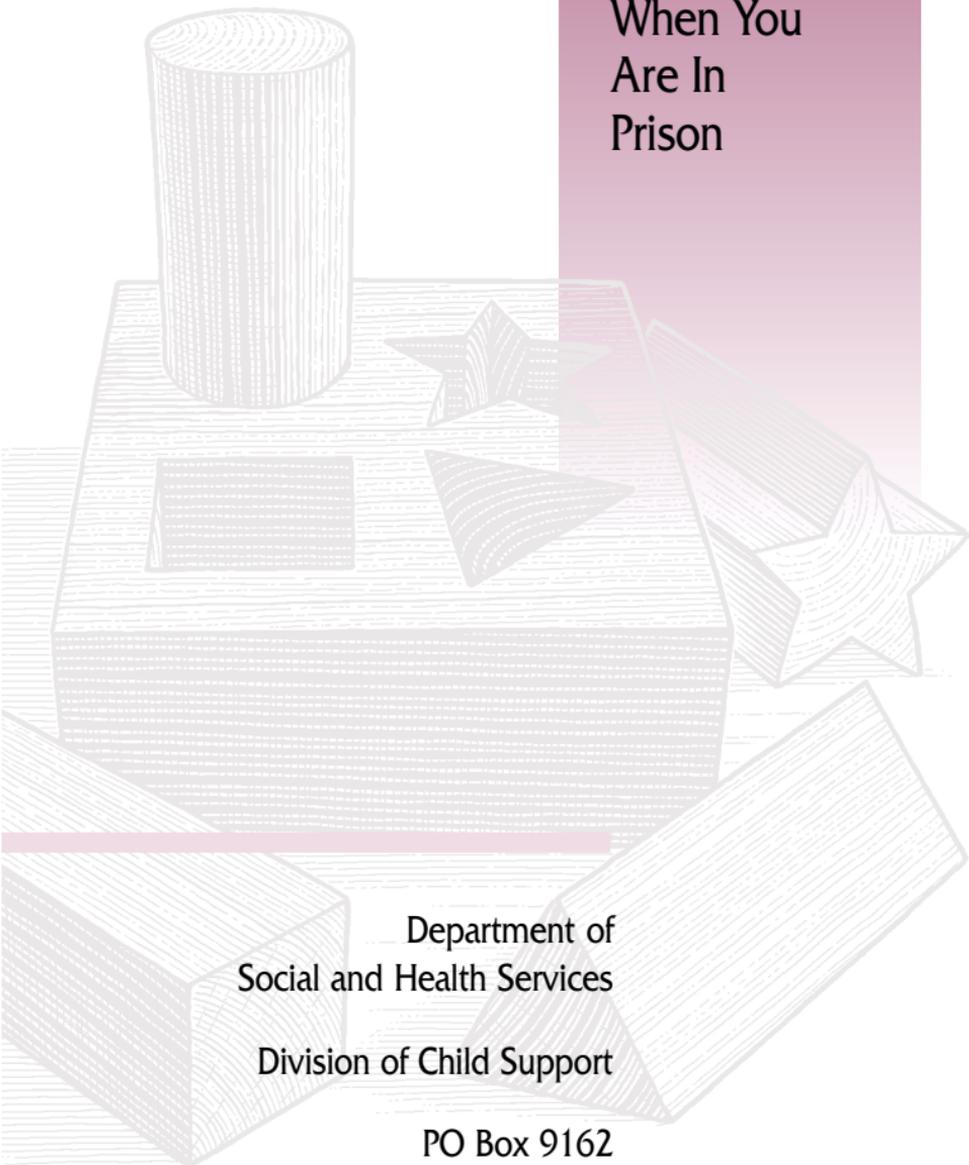




Dealing
With
Child Support
Issues
When You
Are In
Prison



Department of
Social and Health Services

Division of Child Support

PO Box 9162

Olympia, WA 98507-9162

1-800-442-KIDS



Washington State
Department of Social
& Health Services

Here's the bad news:

When you are in prison, your child support obligation doesn't go away; it can keep piling up, month after month, unless you act to change the order.

Here's some good news:

One of the grounds for modifying your support order is a change in circumstances. Going to prison will usually qualify as a change in your circumstances. The Division of Child Support (DCS) can help you modify your child support order.

If you do not currently have a case open with DCS, you can apply for DCS services, which can include modifying your support order.

How can I get help?

You can contact DCS by writing to any of our offices listed at the end of this brochure. You may also wish to contact an attorney. There's a list of legal resources there, too.

What Services Does DCS Provide?

DCS provides child support services for the state of Washington. We establish paternity, and we establish, modify and enforce child support obligations.

What Services Does DCS Not Provide?

DCS does not provide visitation, custody, or parenting plan services.

What Is A Modification?

“To modify a child support order” is the process of changing the amount of support due under your order. It doesn't happen automatically - you have to ask for it.

How Can Modifying My Order Help Me?

If you are unable to pay your child support while you are in prison, you will have a big debt waiting for you when you are released. This doesn't help you or your children. Your child support order should be based on your ability to pay. If you have no income, your order should reflect your current circumstances.

How Does Modification Work?

DCS can't automatically modify your child support order when we find out you are in prison. You must ask DCS to review and modify your order. Don't wait —the earliest date that a modification can be effective is the date the petition to modify is filed, no matter how long ago your circumstances changed. Also, modifications are prospective only, which means we can't modify backwards, just for the future.

If you ask DCS to review and modify your order, we will send you some forms to fill out. Complete and return these forms as soon as possible.

Your child support order will be set according to the Washington State Child Support Schedule. If you have no income while in prison, you may qualify for a "zero" order. If you have income or resources, you may be required to pay support even though you are in prison.

Does It Matter What Kind Of Support Order I Have?

No, it doesn't matter if you have a court order or an administrative order, or even if the order is from another state. DCS can still review and assist you in modifying your child support order. We can petition to modify administrative orders through our administrative process, but we may need to refer your case to the local prosecuting attorney to

proceed in superior court. We may also need to ask another state or Indian tribe to review and modify your support order.

Modifying An Administrative Order

Modifying an administrative order can usually happen quickly. You can start the administrative modification process by filing a DSHS 9-280b, the Petition for Prospective Modification. DCS will send you the form on request, or your institution may have some forms available for you to use. Remember, the earliest effective date for your modification will be the date the petition for modification is filed.

Modifying A Court Order

Modifying a court order can take six months or more. When you ask DCS to review and modify your order, it will still be awhile before the petition is filed with the court. You may decide that you want to proceed in the superior court on your own without our assistance. If DCS handles the modification, we do not represent you or the other party to the support order; you may want to use your own attorney. Just like with administrative orders, the earliest date for the modification is the date the petition is filed with the court, not the date you ask DCS for help.

How Do I Know What Kind Of Order I Have?

The easiest way to find out is to ask DCS. Generally speaking, a court order is signed by a judge and has a “caption” at the top telling you which court entered the order. An administrative order doesn’t.

What About When I Get Out?

When you are released, DCS will want to collect any child support you owe, and will be interested in modifying your child support order to reflect your earnings. When you get a job, you should contact DCS. If we have to track down your employer, we will most likely serve a 50% withhold on your wages and try to obtain other assets. If you contact DCS and tell us you are working, we can work with you to set up a payment plan. Federal and state law requires that we collect at least your current support amount plus something on arrears, so in most cases we don't have to take the full 50% of wages. It's a good idea to contact DCS right before you are released so we can talk about payment options.

What If I Didn't Modify My Order?

Under appropriate circumstances, DCS will consider charging off part or all of a support debt. Upon your release, contact DCS and ask about a "conference board".

How To Contact DCS

When you write to DCS, use your Social Security Number or your DCS case number (the IV-D number). Also, include your DOC number so that our correspondence can get to you. DCS does not accept collect calls.

Confidentiality

If you want, you can have someone (a relative or friend) call DCS on your behalf. DCS staff can answer general inquiries for anyone, but we cannot discuss specific details of your case unless we have your written permission, because all

information in DCS records is confidential. You can use the form on the last page of this brochure to give permission for us to talk to someone else.

Establishing A New Order:

Now that you are incarcerated, DCS knows where to find you. If we are trying to establish a new child support obligation, we can serve you with the necessary papers at your institution.

How To Deal With A New Notice:

If you get a support establishment notice from DCS:

**Do Something Immediately!
Do Not Just Ignore It!!!!**

Usually, you will have twenty days to respond to a notice we serve on you. If you file a timely objection, we will set the matter for hearing. (We have another brochure about hearings.) If you do not respond, the notice becomes a support order after twenty days, and DCS will start enforcing the order. And the debt will start piling up.....

Whatever Your Situation, Contact DCS and We Will Be Happy To Work With You!

Persons with Disabilities:

If you need other special assistance (such as a sign language interpreter or alternate format materials) because of a disability, we can provide help free of charge.

DCS Field Offices:

Counties Served:

Seattle Field Office

500 First Avenue South
Seattle, WA 98104-2830
206-341-7000 or
800-526-8658

King

Everett Field Office

Division of Child Support
PO Box 4282
Everett WA 98203-9282
425-438-4800
1-800-729-7580

Island, San Juan,
Skagit, Snohomish,
Whatcom

Kennewick Field Office

PO Box 5550
Kennewick WA 99336-0550
509-374-2000
1-800-345-9981

Benton, Columbia,
Franklin, Walla Walla

Olympia Field Office

PO Box 9209
Olympia WA 98507-9209
360-664-6900
1-800-345-9964

Grays Harbor,
Mason, Thurston,
Jefferson, Clallam,
Pierce

Spokane Field Office

Division of Child Support
PO Box 2560
Spokane WA
99220-2560
509-363-5000
1-800-345-9982

Spokane, Stevens,
Whitman, Asotin,
Ferry, Garfield,
Lincoln, Pend Oreille,

DCS Field Offices:

Tacoma Field Office

Division of Child Support
PO Box 1237
Tacoma WA
98401-1237
253-597-3700
1-800-345-9976

Vancouver Field Office

Division of Child Support
PO Box 4269
Vancouver WA
98682-0099
360-696-6100
1-800-345-9984

Yakima Field Office

PO Box 22510
Yakima WA
98907-2570
509-249-6000
1-800-441-0859

Wenatchee Field Office

PO Box 2929
Wenatchee, WA
98807-2929
509-886-6800
1-800-535-1113

Fife Field Office

PO Box 2950
Tacoma, WA 98401-2950
253-922-0454
1-866-243-4449

Counties Served:

Kitsap, Pierce

Clark, Cowlitz,
Klickitat, Lewis,
Pacific, Skamania,
Wahkiakum

Kittitas, Yakima

Adams, Chelan,
Douglas, Grant,
Okanogan

King, Kitsap,
Pierce

Legal Resources:

Northwest Justice Project's Coordinated Legal
Education, Advice & Referral (CLEAR) Project

1-888-201-1014

<http://www.nwjustice.org>

Northwest Women's Law Center
Information & Referral Line

(206) 621-7691

<http://www.nwwlc.org>

To find lawyer referral services for your county,
Call The Washington State Bar Association at

1-800-945-9722

<http://www.wsba.org>

If you have Internet access, visit the Child Support
Resource Center on the World Wide Web at the
following address:

<http://www.wa.gov/dshs/dcs>

Authorization to Disclose Personal Information

I, _____, of _____,

authorize the Department of Social and Health Services to disclose the following records to:

Name of person authorized to receive information _____

Address of person authorized to receive information _____

I authorize disclosure of all personal information except the following:

This authorization remains effective until:

Case Number _____

Print Name _____

Signature Of Client _____

Address Of Client _____



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